

COMMITTEE ON RULES

SENATE AMENDMENTS TO S.B. 1024

(Reference to GOV amendment)

1 Page 1, before line 1, insert:

2 *Page 1, between lines 1 and 2, insert:*

3 *"Section 1. Section 16-913, Arizona Revised Statutes, is*
4 *amended to read:*

5 *16-913. Campaign finance reports; reporting of receipts*
6 *and disbursements; exemptions; civil penalty*

7 *A. Except as provided in subsection K of this section,*
8 *each political committee shall file campaign finance reports*
9 *setting forth the committee's receipts and disbursements*
10 *according to the schedule prescribed in subsections B and C of*
11 *this section.*

12 *B. In any calendar year during which there is a*
13 *regularly scheduled election at which any candidates,*
14 *measures, questions or propositions appear or may appear on*
15 *the ballot, the political committee shall file each of the*
16 *following campaign finance reports:*

17 *1. A report covering the period beginning January 1*
18 *through May 31, filed no later than June 30.*

19 *2. A preelection report, which shall be filed not less*
20 *than twelve days before any election and which shall be*
21 *complete through the twentieth day before the election.*

22 *3. A postelection report, which shall be filed not more*
23 *than thirty days after any election and which shall be*
24 *complete through the twentieth day after the election.*

25 *C. In any other calendar year, the political committee*
26 *shall file a report covering the period beginning twenty-one*
27 *days after the date of the election in the preceding calendar*
28 *year through December 31 of the nonelection year filed no*
29 *later than January 31 of the following calendar year.*

1 *D. In the event that a political committee receives no*
2 *contributions and makes no expenditures during a period in*
3 *which it is required to file a campaign finance report, the*
4 *committee treasurer or if the treasurer is unavailable the*
5 *candidate, in lieu of filing a report required by subsection B*
6 *of this section, may sign and file a form prescribed by the*
7 *secretary of state indicating no activity during the specific*
8 *reporting period.*

9 *E. In lieu of the reports prescribed in subsections B*
10 *and C of this section, a candidate's political committee that*
11 *remains active after an election due to outstanding debts may*
12 *file a document no later than January 31 in a form prescribed*
13 *by the secretary of state that states that the committee does*
14 *not intend to receive any contributions or make any*
15 *expenditures during the year. If a candidate's political*
16 *committee does receive a contribution or make an expenditure*
17 *during that year, the committee shall report as prescribed by*
18 *subsection B or C of this section.*

19 *F. A judge who has filed a declaration of the desire to*
20 *be retained in office is exempt from filing any report*
21 *required by this section if the judge, not later than twelve*
22 *days before the general election, files a statement signed and*
23 *sworn to by the judge certifying that the judge has received*
24 *no contributions, has made no expenditures and has no campaign*
25 *committee and that the judge does not intend to receive*
26 *contributions, make expenditures or have a campaign committee*
27 *for the purpose of influencing the result of the vote on the*
28 *question of the judge's retention. With respect to superior*
29 *court judges, a statement filed pursuant to this subsection is*
30 *effective until the earlier of twelve days before the third*
31 *general election following the filing of this statement or the*
32 *judge receives contributions, makes expenditures or authorizes*

1 *a campaign committee. Such a statement filed by a supreme
2 court justice or a court of appeals judge is effective until
3 the earlier of twelve days before the fourth general election
4 following the filing of this statement or the justice or judge
5 receives contributions, makes expenditures or authorizes a
6 campaign committee.*

7 *G. Reports in connection with special or recall
8 elections shall conform to the filing deadlines set forth in
9 subsection B of this section.*

10 *H. Except as provided in section 16-916, subsection
11 B—C and subsection K of this section, a political committee
12 shall comply with the requirements of this section in each
13 jurisdiction in this state in which the committee has filed a
14 statement of organization until the committee terminates
15 pursuant to section 16-914, and its statements, designations
16 and reports shall be filed with each officer with whom it has
17 filed a statement of organization, as appropriate.*

18 *I. Each report required to be filed pursuant to this
19 section shall be signed by the committee treasurer or the
20 candidate or the designating individual if the treasurer is
21 unavailable and shall contain the certification of the signer
22 under penalty of perjury that the report is true and complete.*

23 *J. A political committee and the candidate, in the case
24 of a candidate's campaign committee, or the designating
25 individual, in the case of an exploratory committee, who
26 violate this section are subject to the penalty prescribed in
27 section 16-918.*

28 *K. A standing political committee shall file reports
29 with the secretary of state and is exempt from filing a report
30 with any other jurisdiction in which it is active. The
31 reports shall be in an electronic format as prescribed by the
32 secretary of state and shall be filed by delivery of a*

1 *computer diskette or cd-rom that contains the report or by use*
2 *of the internet. The secretary of state shall promptly make*
3 *the reports available to the public on the internet and on*
4 *paper by request. The standing committee shall file the*
5 *following reports:*

6 1. *A preelection report that is due as prescribed by*
7 *subsection B, paragraph 2 of this section shall be filed for*
8 *each consolidated election date prescribed by section 16-204.*

9 2. *A postelection report that is due as prescribed by*
10 *subsection B, paragraph 3 of this section shall be filed for*
11 *each consolidated election date prescribed by section 16-204.*

12 3. *An annual report that is due by January 31 in the*
13 *year immediately following the calendar year that is the*
14 *subject of the report.”*

15 *Renumber to conform*

16 *Page 1, line 6, strike “B” insert “C”*

17 Page 1, between lines 7 and 8, insert:

18 *Page 2, after line 23, insert:*

19 *“Sec. 3. Subject to the requirements of article IV, part*
20 *1, section 1, Constitution of Arizona, section 16-958, Arizona*
21 *Revised Statutes, is amended to read:*

22 16-958. *Manner of filing reports*

23 A. *Any person who has previously reached the dollar*
24 *amount specified in section 16-941, subsection D for filing an*
25 *original report shall file a supplemental report each time*
26 *previously unreported independent expenditures specified by*
27 *that subsection exceeds one thousand dollars. Any person who*
28 *has previously reached the dollar amounts specified in section*
29 *16-941, subsection B, paragraph 2 for filing an original*
30 *report shall file a supplemental report to declare that*
31 *previously unreported expenditures or contributions specified*
32 *by that paragraph exceed ten per cent of the original primary*

1 election spending limit or twenty-five thousand dollars,
2 whichever is lower, before the general election period, or
3 ten per cent of the original general election spending limit
4 or twenty-five thousand dollars, whichever is lower, during
5 the general election period. Such reports shall be filed at
6 the times specified in subsection B of this section and shall
7 identify the dollar amount being reported, the candidate and
8 the date and no other detail is required in reports made
9 pursuant to this section.

10 B. Any person who must file an original report pursuant
11 to section 16-941, subsection B, paragraph 2 or subsection D
12 or who must file a supplemental report for previously
13 unreported amounts pursuant to subsection A of this section
14 shall file as follows:

15 1. Before the beginning of the primary election period,
16 the person shall file a report on the first of each month,
17 unless the person has not reached the dollar amount for filing
18 an original or supplemental report on that date.

19 2. Thereafter, except as stated in paragraph 3 of this
20 subsection, the person shall file a report on any Tuesday by
21 which the person has reached the dollar amount for filing an
22 original or supplemental report.

23 3. During the last two weeks before the primary election
24 and the last two weeks before the general election, the person
25 shall file a report within one business day of reaching the
26 dollar amount for filing an original or supplemental report.

27 C. Any filing under this article on behalf of a
28 candidate may be made by the candidate's campaign
29 committee. All candidates shall deposit any check received by
30 and intended for the campaign and made payable to the
31 candidate or the candidate's campaign committee, and all cash
32 received by and intended for the campaign, in the candidate's

1 *campaign account before the due date of the next report*
2 *specified in subsection B of this section. No candidate or*
3 *person acting on behalf of a candidate shall conspire with a*
4 *donor to postpone delivery of a donation to the campaign for*
5 *the purpose of postponing the reporting of the donation in any*
6 *subsequent report.*

7 *D. The secretary of state shall immediately notify the*
8 *commission of the filing of each report under this section and*
9 *deliver a copy of the report to the commission, and the*
10 *commission shall promptly mail or otherwise deliver a copy of*
11 *each report filed pursuant to this section to all*
12 *participating candidates opposing the candidate identified in*
13 *section 16-941, subsection B, paragraph 2 or subsection D.*

14 *E. Any report filed pursuant to this section or section*
15 *16-916, subsection A, paragraph 1 or subsection B-C shall be*
16 *filed in electronic format. The secretary of state shall*
17 *distribute computer software to political committees to*
18 *accommodate such electronic filing.*

19 *F. During the primary election period and the general*
20 *election period, all candidates shall make available for*
21 *public inspection all bank accounts, campaign finance reports*
22 *and financial records relating to the candidate's campaign,*
23 *either by immediate disclosure through electronic means or at*
24 *the candidate's campaign headquarters, in accordance with*
25 *rules adopted by the commission.*

26 *Sec. 4. Requirements for enactment; three-fourths vote*

27 *Pursuant to article IV, part 1, section 1, Constitution*
28 *of Arizona, section 16-958, Arizona Revised Statutes, as*
29 *amended by this act, is effective only on the affirmative vote*

Senate Amendments to S.B. 1024

1 *of at least three-fourths of the members of each house of the*
2 *legislature.”*

3 Amend title to conform

1/28/08
2:50 PM
S: JH:rbc